

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK KOMADINA,

Plaintiff,

v.

No. 21-cv-1143 MIS/SCY

USAA CASUALTY INSURANCE COMPANY,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (the "PFRD"), ECF No. 35, filed January 24, 2023. In the PFRD, the Magistrate Judge found that the uninsured vehicle was not used as an active accessory, and that an act of independent significance broke any causal link between the use of the uninsured vehicle and the harm suffered, precluding liability on the part of Defendant. ECF No. 35 at 5, 16. The Magistrate Judge therefore recommended that Defendant's Motion for Summary Judgment, ECF No. 23, be granted. *Id.* at 19. The parties were notified that written objections to the PFRD were due within fourteen days. *Id.* No objections have been filed and the deadline has passed. The recommendation of the Magistrate Judge is therefore adopted by this Court.

IT IS THEREFORE ORDERED that Defendant's Motion for Summary Judgment, ECF No. 23, is **GRANTED** and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Margaret Strickland". The signature is written in a cursive style with a large, looped "M" and "S".

MARGARET STRICKLAND
UNITED STATES DISTRICT JUDGE